

### **DETAILED ACTION**

1. This communication is a First Office Action Non-Final rejection on the merits. Claims 1 – 6, 15 – 30 and 39 – 44 have been withdrawn. Claims 7 – 14 and 31 – 38, as originally filed, are currently pending and have been considered below.

### ***Election/Restrictions***

2. Applicant's election without traverse of claims 7 – 14 and 31 - 38 in the reply filed on May 21, 2008 is acknowledged.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 7 – 14 and 31 – 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nguyen (6,202,070) in view of Spagna (2002/0002468).**

**As per claim 7**, Nguyen discloses a method for identifying a software configuration in an image delivery system having a storage device, the method comprising:

generating a bill of materials associated with a target computer system from an order entry portion of the image delivery system (col. 11, lines 19 – 23; discusses generating a bill of materials),

dividing the bill of materials into an essential portion and a non-essential portion (fig. 2 depicts a partition table with divides the bill of materials),

sorting at least the essential portion of the bill of materials into alphanumeric order (col. 6, lines 19 – 38; discusses cataloguing component parts in a database),

However, Nguyen fails to explicitly disclose, performing a key generating function on the at least the essential portion of the bill of materials to generate a key associated with the software configuration; and using the generated key to determine if the software configuration exists on the storage device.

Spagna teaches a method and system for securing local database file of local content stored on end-user system with the features of performing a key generating function on the at least the essential portion of the bill of materials to generate a key associated with the software configuration ([0229] discusses creating a key of the bill of materials content); and

using the generated key to determine if the software configuration exists on the storage device ([0229] discusses using the key to validate the completeness of all parts).

From this teaching of Spagna, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Nguyen to include

the key generating function and determination of software configuration taught by Spagna, in order to provide validation.

**As per claims 8 and 32**, Nguyen further discloses comprising the steps of:

transferring an image associated with the software configuration to one or more of the target computer system if the at least the essential portion of the bill of materials associated with each of the one or more of the target computer system produces the generated key when the key generating function is performed on the associated each at least essential portion of the bill of materials (col. 1, lines 28 – 40; discuss transferring the image), and

generating a new image associated with the software configuration if the at least the essential portion of the bill of materials associated with the each of the one or more target computer system fails to produce the generated key when the key generating function is performed on the associated each at least essential portion of the bill of materials (col. 5, lines 38 – 46; discusses generating new images associated with software configuration).

**As per claims 9 and 33**, Nguyen discloses the claimed invention but fails to explicitly disclose wherein the key generating function includes a 128-bit hash algorithm.

Spagna teaches a method and system for securing local database file of local content stored on end-user system wherein the key generating function includes a 128-bit hash algorithm ([0122] discusses a hash algorithm).

From this teaching of Spagna, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Nguyen to include the hash algorithm, taught by Spagna, in order to provide encryption means.

**As per claims 10 and 34**, Nguyen discloses the claimed invention but fails to explicitly disclose wherein the key generating function includes a 128-bit hash algorithm.

Spagna teaches a method and system for securing local database file of local content stored on end-user system wherein the key generating function includes a 128-bit hash algorithm ([0122] discusses a hash algorithm).

From this teaching of Spagna, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Nguyen to include the hash algorithm, taught by Spagna, in order to provide encryption means.

**As per claims 11 and 35**, Nguyen discloses wherein the essential portion of the bill of materials includes software-related components (col. 6, lines 19 – 38; discuss software-related components).

**As per claims 12 and 36**, Nguyen discloses wherein the essential portion of the bill of materials includes software-related components (col. 6, lines 19 – 38; discuss software-related components).

**As per claims 13 and 37**, Nguyen discloses wherein the at least essential portion of the bill of materials is sorted into ascending alphanumeric sequence (col. 16, lines 43 – 54; discusses ascending sequence).

**As per claims 14 and 38**, Nguyen discloses wherein the at least essential portion of the bill of materials is sorted into ascending alphanumeric sequence (col. 16, lines 43 – 54; discusses ascending sequence).

**As per claim 31**, Nguyen discloses a computerized system for identifying a software configuration for image delivery, the computerized system comprising:

a processor (fig. 3A depicts a processor),

a computer readable medium capable of being read by the processor, and a plurality of computer instructions on the computer readable medium, the plurality of computer instructions executable by the processor, the plurality of computer instructions for causing the processor to:

generate a bill of materials associated with a target computer system from an order entry portion of the image delivery system (col. 11, lines 19 – 23; discusses generating a bill of materials),

divide the bill of materials into an essential portion and a non-essential sort at least the essential portion of the bill of materials into alphanumeric order (fig. 2 depicts a partition table with divides the bill of materials),

However, Nguyen fails to explicitly disclose, performing a key generating function on the at least the essential portion of the bill of materials to generate a key associated with the software configuration; and using the generated key to determine if the software configuration exists on the storage device.

Spagna teaches a method and system for securing local database file of local content stored on end-user system with the features of perform a key generating function on the at least the essential portion of the bill of materials to generate a key associated with the software configuration ([0229] discusses creating a key of the bill of materials content); and

use the generated key to determine if the software configuration exists on the storage device ([0229] discusses using the key to validate the completeness of all parts).

From this teaching of Spagna, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Nguyen to include the key generating function and determination of software configuration taught by Spagna, in order to provide validation.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cohen (US 6947954 B2), which discloses a Image server store system and method using combined image views, Collart (), which discloses a System,

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method and article of manufacture for updating content stored on a portable storage medium, Dean (US 7006985 B1), which discloses a configuration of computer systems based upon purchasers component, Downs (US 6574609 B1), which discloses a Secure electronic content management system, Dragon (US 6625616 B1), which discloses a method and apparatus for material requirements planning, and Getsin (US 7188193 B1), which discloses a System, method and article of manufacture for a synchronizer component in a multimedia synchronization framework.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUSEYE IWARERE whose telephone number is (571)270-5112. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on (571)272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Elaine Gort/  
Primary Examiner, Art Unit 3687

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